

Applicant : Mark E. Kriegsman and Benjamin W.
Wyckoff
Serial No. : 09/668,110
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Page : 2 of 2

Attorney's Docket No : 11125-014001

REMARKS

In response to the §102 rejection of the independent claims, Applicant submits the attached declaration under 37 CFR 131.

As indicated in the declaration, Applicant conceived and reduced the claimed invention to practice before the §102(e) date of *lms*. Accordingly, Applicant requests that *lms* be disqualified as a reference for the independent claims and all claims dependent thereon.

Applicant further notes that *Challenger* continues to be cited on page 5 paragraph (i). As best understood, *Challenger* has been withdrawn.

Applicant encloses a petition for extension of time. No other fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our deposit account 06-1050, referencing attorney docket 11125-014001.

Respectfully submitted,

Date: January 13, 2003



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